

James D. Weakley, Esq. Bar No. 082853
Erica M. Camarena, Esq. Bar No. 227981

THE LAW FIRM OF
WEAKLEY, RATLIFF,
ARENDT & MCGUIRE, LLP
1630 East Shaw Avenue, Suite 176
Fresno, California 93710

Telephone: (559) 221-5256
Facsimile: (559) 221-5262

Attorneys for Defendants, J. CAPRIOLA, I. BARRIMOND,
J. HOLLINS, R. PEREZ, A. SIMONSON; CITY OF FRESNO, R. GARRISON,
MARK A. YEE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ZELLA MAYE FREEMAN,)	CASE NO. 1:05-CV-00328-OWW-SMS
)	
Plaintiff,)	AMENDED ORDER REGARDING
)	PLAINTIFF'S EX PARTE REQUEST TO
vs.)	DESIGNATE S. MILES ESTNER, M.D. IN
)	PLACE OF SAMUEL L. BURKLOW, M.D.
CITY OF FRESNO, R. GARRISON (F.P.D.)	
Badge No. 780), MARK A. YEE (F.P.D.)	
Badge No. 692), J. CAPRIOLA (F.S.O. Badge)	
No. 7622), I. BARRIMOND (F.S.O. Badge)	
No. 1153), J. HOLLINS (F.S.O. Badge No.)	
2346), R. PEREZ (F.S.O. Badge No. 6169),)	
A. SIMONSON (F.S.O. Badge No. 9364),)	
inclusive,)	
Defendants.)	

Defendants, JOHN CAPRIOLA, IAN BARRIMOND, JASON HOLLINS, ROBERT PEREZ, ANDREW SIMONSON, ROBERT GARRISON, MARK A. YEE , and the CITY OF FRESNO (hereinafter, collectively referred to as "Defendants"), hereby request that the Court Amend its Order of June 28, 2006 (Court Docket No. 48), to completely reflect the terms of the Court's Order, which were inadvertently omitted from the written Order.

Specifically, during the In Chambers telephone conference held on June 23, 2006 (Court Docket No. 47), the Court authorized Defendants to designate a rebuttal medical expert since

1 Plaintiff was being allowed to not only belatedly designate two experts, but was also allowed to
2 replace physician Samuel L. Burklow, M.D. with Psychiatrist, S. Miles Estner M.D.

3 The Court also granted Defendants twenty days from the date of its Order to conduct an
4 independent mental examination of Plaintiff. Therefore, Defendants have up and until July 13,
5 2006 to conduct an independent mental examination of the Plaintiff at her sole expense.

6 IT IS SO ORDERED.

7 **Dated: July 5, 2006**
emm0d6

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE